

In re Patent Application of:
CLARKE ET AL.
Serial No. 10/777,959
Filing Date: **FEBRUARY 12, 2004**

REMARKS

The Examiner is thanked for the thorough examination of the present application. Independent Claims 1, 10, 15, 20 and 25 have been amended to incorporate the subject matter of their respective dependent Claims 6, 14, 19, 24, and 29, which have been cancelled for consistency therewith. Independent Claims 1 and 4 have also been amended to address the 35 U.S.C. §112 informalities as discussed further below. No new matter is being added.

In view of the amendments and the arguments presented in detail below, it is submitted that all of the claims are patentable.

I. Drawing Objections

As an initial matter, the Examiner objected to the drawings as he was unable to locate in the drawings the interface connector modules recited in the claims. Applicants respectfully direct the Examiner's attention to FIG. 7 of the present application, in which interface connector modules 70-77 are shown coupled between the mail systems and the protocol engine. Accordingly, it is submitted that the drawings are fully compliant with 377 CFR 1.83(a), and that the objection to the drawings should be withdrawn.

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II. Rejections Under 35 U.S.C. §112

The Examiner rejected independent Claim 1 under 35 U.S.C. §112 contending that the skilled artisan would not be able to discern the difference from the specification between the following claim recitations: (1) a plurality of different operating protocols; (2) respective operating protocols; (3) the different operating protocols; and (4) common interface protocol. Applicants respectfully disagree and submit that the skilled artisan would readily understand the meaning of these claim recitations upon reference to the specification.

More particularly, examples of different operating protocols that may be used by data storage devices are provided in paragraph 0040 of the originally filed specification, which include Outlook Web Access (OWA), Messaging Application Programming interface (MAPI), and proprietary Internet Service Provider (ISP) protocols such as used by America Online (AOL), for example. Moreover, examples of different protocols that may be used by the mobile wireless communications devices are provided in paragraph 0041, which include the Wireless Access Protocol (WAP), the Post Office Protocol (POP), the Internet Message Access Protocol (IMAP), and the Hypertext Transfer Protocol (HTTP). Further, as shown in FIG. 2, the different mail systems (i.e., data storage devices) 24, 26, 28 illustrated therein each uses a respective protocol (OWA, MAPI, and a proprietary protocol). As discussed in paragraph 0004 of the specification, there are several sometimes incompatible protocols

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used by different vendors for email systems, for example, meaning that the vendors use different and respective protocols (i.e., they each use a protocol that may or may not be the same as other systems). As such, one of ordinary skill in the art will readily appreciate what the different and respective protocols recited in the claims may be upon reference to the background and specific examples thereof in the specification noted above.

In addition, a description of what is meant by a "common interface protocol" is set forth in paragraph 0047 of the specification, follow by a specific example thereof in paragraph 0048, namely a Web-based distributed authoring and versioning (WebDAV) based protocol. Thus, one of ordinary skill in the art would also readily appreciate the meaning of this claim recitation upon reference to the specification. It is respectfully requested that the above-noted rejection of Claim 1 under 35 U.S.C. §112 therefore be withdrawn.

Regarding the Examiner's contention that the recitation "the different operating protocols" found in the second clause of Claim 1 has no antecedent basis, this is incorrect. The first clause of Claim 1 following the preamble recites that the plurality of data storage devices store data based upon at least one of "a plurality of different operating protocols." The above-noted recitation found in the second clause properly refers back to the plurality of different operating protocols recited in the first clause. As will be readily appreciated by those of skill in the art with reference to the passages of the specification

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discussed above, Claim 1 defines a group (i.e., the plurality of) different operating protocols that can be used by mobile wireless communications devices and data storage devices. Moreover, these devices do not use all of the protocols, thus each has a respective protocol(s) from the group that it operates based upon.

As noted above, independent Claims 1 and 4 have been amended to address the remaining §112 rejections related the use vs. step and trademarks/tradename informalities. It is therefore respectfully submitted that all of the 35 U.S.C. §112 rejections are overcome.

III. The Claimed Invention

The present invention is directed to a communications system. As recited in amended independent Claim 1, for example, the system includes a plurality of data storage devices storing data based upon at least one of a plurality of different operating protocols. The system further includes a plurality of mobile wireless communications devices each accessing the data storage devices based upon at least one of the plurality of different operating protocols. Moreover, the system also includes a protocol interface device comprising a front-end proxy module communicating with the plurality of mobile wireless communications devices based upon respective operating protocols, and a protocol engine module communicating with the front-end proxy module based upon a Web-based distributed authoring and

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versioning (WebDAV) common interface protocol. The protocol interface device further includes a respective interface connector module translating communications between the protocol engine module and the plurality of data storage devices for each of the different operating protocols.

Independent Claims 10 and 15 are directed to related protocol interface devices. Furthermore, independent Claim 20 is directed to a related method, and independent Claim 25 is directed to a related computer-readable medium.

IV. The Claims Are Patentable

The Examiner rejected dependent Claims 6, 14, 19, 24, and 29 over U.S. Patent No. 6,615,212 to Dutta et al. As noted above, the subject matter of Claims 6, 14, 19, 24, and 29 has been incorporated in their respective independent Claims 1, 10, 15, 20 and 25.

Dutta et al. is directed to system for providing content from a distributed database to a client. A transcoding proxy server receives a request for content from a client machine. The transcoding proxy server retrieves the content from an originating server. The retrieved content is provided in a first format type. In response to a determination that an increase in efficiency would be obtained by allowing the client to process the content in the first format type prior to transcoding the content into a second format type, the transcoding proxy server sends the content to the client in the

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first format type. Furthermore, in response to a determination that the client does not have content processing software for processing the content in the first format, the transcoding proxy server sends content processing software for the first format type along with the content in the first format type to the client. The transcoding proxy server then transcodes the content from the first format type into the second format type and sends the content in the second format to the client. See, e.g., col. 2, lines 39-57 of Dutta et al.

The Examiner contends that Dutta et al. teaches communication between a protocol engine module and front-end proxy module based upon a Web-based distributed authoring and versioning (WebDAV) common interface protocol, as recited in the above-noted independent claims. In particular, the Examiner contends that a transcoding proxy server **606** shown in FIG. 6 of Dutta et al. is equivalent to the claimed front-end proxy module, and that a transcoding framework **608** of the transcoding proxy server is equivalent to the claimed protocol engine module. See Office Action, page 6.

As support for the Examiner's contention that Dutta et al. teaches the use of a WebDAV common interface protocol between the transcoding proxy server **606** and the transcoding framework **608**, the Examiner generally points to the summary of the invention section found at col. 2, lines 35-60 of Dutta et al., which is reproduced below for reference:

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"The present invention provides a method in a data processing system for providing content from a distributed database to a client. In a preferred embodiment, a transcoding proxy server receives a request for content from a client machine. The transcoding proxy server retrieves the content from an originating server. The retrieved content is provided in a first format type. In response to a determination that an increase in efficiency would be obtained by allowing the client to process the content in the first format type prior to transcoding the content into a second format type, the transcoding proxy server sends the content to the client in the first format type. Furthermore, in response to a determination that the client does not have content-processing software for processing the content in the first format, the transcoding proxy server sends content processing software for the first format type along with the content in the first format type to the client. The transcoding proxy server then transcodes the content from the first format type into the second format type and sends the content in the second format to the client."

It is respectfully submitted that nothing in the above-quoted passage, nor any other in Dutta et al., teaches or fairly suggests using a WebDAV common interface protocol between the transcoding proxy server 606 and the transcoding framework 608. Accordingly, it is submitted that independent Claims 1, 10, 15, 20 and 25 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing

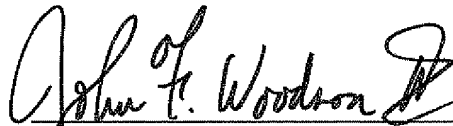
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features, are also patentable over the prior art and require no further discussion herein.

CONCLUSION

In view of the amendments to the claims and the arguments provided herein, it is submitted that all the claims are patentable. Accordingly, a Notice of Allowance is requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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